

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

GENZYME CORPORATION,  
Plaintiff,

v.

THOMAS DOTTER and NOVARTIS  
PARMACEUTICALS CORPORATION,  
Defendants.

Civil Action No. 18-cv-11940-RGS

**DEFENDANT THOMAS DOTTER’S MOTION FOR RECONSIDERATION  
OF THE COURT’S JANUARY 9, 2019 ORDER, OR, IN THE  
ALTERNATIVE, TO CERTIFY THE MATTER FOR  
INTERLOCUTORY APPEAL PURSUANT TO 28 U.S.C. §§ 1291 and 1292(b)**

Defendant Thomas Dotter (“Dotter”) respectfully submits this Motion for Reconsideration of the Court’s January 9, 2019 Order (ECF No. 63) on Plaintiff Genzyme Corporation’s Motion to Dismiss Defendant’s Amended Counterclaim, or, in the alternative, to certify pursuant to 28 U.S.C. §§ 1291 and 1292(b) for immediate interlocutory appeal to the United States Court of Appeals for the First Circuit. This Motion for Reconsideration is submitted in accordance with Rules 59(e) and 60(b) of the Federal Rules of Civil Procedure (“FRCP”).

As further grounds for this motion, Dotter respectfully refers the court to his Memorandum of Law submitted herewith and incorporated by reference herein.

Respectfully Submitted,

THOMAS DOTTER,

By his attorneys,

/s/ Mark M. Whitney

Mark M. Whitney, Esq. (BBO #637054)

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Dated: February 6, 2019

**LOCAL RULE 7.1(a)(2) CERTIFICATION**

Pursuant to Local Rule 7.1(a)(2), I certify that I have conferred with Plaintiff's counsel in good faith to resolve the issues that are the subject of this motion. Because this motion relates to Plaintiff's successful dismissal of Dotter's counterclaim, the parties could not reach a compromise.

/s/ Mark M. Whitney

Mark M. Whitney

**CERTIFICATE OF SERVICE**

I, Mark M. Whitney, counsel for Defendant Thomas Dotter, do hereby certify that a true and accurate copy of the foregoing document, which was filed via the Court's ECF system on February 6, 2019, will be sent electronically by the ECF system to the registered participants as identified on the Notice of Electronic Filing (NEF) and that paper copies will be sent to those indicated as non-registered participants.

/s/ Mark M. Whitney

Mark M. Whitney